

## GRAIN LAW FACTS

Grain sold and stored is covered under the Indemnity Fund at Indiana licensed firms **ONLY**. A "Claimant" in a grain failure is a person who is unable to secure payment within twelve months following delivery to a licensee. Grain purchaser's must be licensed with the Indiana Grain Buyers & Warehouse Licensing Agency unless they:

- Purchase under 50,000 bushels of grain annually
- Purchase grain for the feeding of their livestock
- Do not offer DP or contracts related to the commodity futures or commodity options market

Grain sold in Indiana must be paid within 21 days or the buyer must be licensed. "Delayed Payment" means a purchase by a buyer in which title to the grain passes to the buyer at a determined price, with payment to the seller at a later date. To be considered a claimant by the Indiana Grain Indemnity Fund you must:

- Have participated in the grain indemnity program
- Possess a claim resulting from a failure of an Indiana licensee
- Have a claim that has been adjudicated by Indiana Grain Buyers & Warehouse Licensing Agency

## WHAT YOU SHOULD LOOK FOR

If the elevator is offering storage, grain bank, warehouse receipts, deferred pricing, price later contracts or is buying grain, do they have a current license posted?

Are storage and service rates disclosed to you?

Does the facility use grain contracts?

Does the facility give numbered scale tickets?  
Are they market correctly?

Are the Indemnity Fund premium SPARC & Corn Checkoff deducted and itemized on the settlements?

Is the facility well maintained?

Does the facility have regular business hours?

Always read, then sign, the contracts and keep a copy for your records.

Always keep your scale tickets and settlement sheets. They are valid proofs of claim.

Look for the LICENSE and BIN CHARTS posted at the facility.

## AGENCY HISTORY

Indiana's grain dealer warehouse licensing laws became effective on January 1, 1975, when the Indiana Commodity Warehouse Licensing Agency (ICWLA) was created to oversee the activities of grain buyers and warehouses.

In 1982, the dealer law was repealed and grain buying was deregulated.

In 1991, the statute was updated to reflect changes in the industry.

In 1996, IGBWLA entered into an audit agreement with the Indiana Grain Indemnity Corporation (IGIC) to conduct compliance audits on the indemnity checkoff.

In 1997, a new law was passed regulating grain banks, grain buying, and warehousing.

In 2001, the Agency entered into a similar agreement with the Indiana Soybean Development Council, Inc. to conduct audits on the Soybean Promotion and Research Checkoff (SPARC)

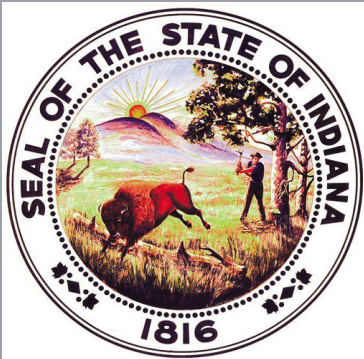
In 2005, the Agency became part of the Indiana State Department of Agriculture (ISDA).

In 2011, the Agency entered into an agreement with the Indiana Corn Marketing Council audit of the Indiana corn checkoff program.

If you have any problems getting paid for your grain, IGBWLA cannot do anything unless we are made aware of the situation. Don't let this situation escalate! Your best defense is to keep IGBWLA informed!



# Indiana Grain Buyers & Warehouse Licensing Agency



## Rebecca S. Skillman

Lieutenant Governor  
Secretary of Agriculture and Rural Affairs

## Joseph M. Kelsay

Agriculture Director  
Indiana State Department of Agriculture

## Jerome G. Hawkins

Director of Grain Buyers  
and Warehouse Licensing

## Our Mission:

To ensure the financial integrity of the grain marketing infrastructure, while allowing the industry to be competitive, innovative and efficient.

Warehouse regulation is intended to ensure that warehousemen maintain the quantity and quality of grain stored for farmers and other depositors. This applies to warehouse receipt, open storage and grain bank obligations.

## For more information:

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# Do You BUY or SELL Grain?

## THEN THIS AFFECTS YOU!

